

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

STEPHEN ELLIOTT,

Plaintiff,

- against -

MOIRA DONEGAN, and JANE DOES (1–30),

Defendants.

No. 1:18-cv-05680-LDH-SJB

DECLARATION OF ROBERTA A. KAPLAN


ROBERTA A. KAPLAN declares as follows:

1. I am a partner at the law firm of Kaplan Hecker & Fink LLP and am counsel for Defendant Moira Donegan in this action.
2. I respectfully submit this declaration pursuant to the Court’s June 5, 2020 Order.
3. Attached hereto as Exhibit 1 is my February 12, 2020 Letter Attaching Relevant Excerpts from Plaintiff Stephen Elliott’s Published Works and Media Appearances, ECF 58, and its Exhibit A, ECF 58-1.
4. Exhibit A, ECF 58-1, provides true and correct excerpts of the cited published works and media appearances by Stephen Elliott.
5. Based on the Court’s feedback during the February 7, 2020 oral argument on Mr. Elliott’s status as a limited-purpose public figure, I instructed a small team of attorneys and staff at Kaplan Hecker & Fink LLP to review Mr. Elliott’s published works and media appearances for references to rape, sexual assault, consent, and other Me Too-related issues, such as workplace

harassment. The team transcribed and compiled all the potentially relevant excerpts they found. From that compilation, I selected the excerpts included in Exhibit A, ECF 58-1.

In accordance with 28 U.S.C. § 1746, I hereby declare under penalty of perjury that the foregoing is true and correct.

Executed at: New York, New York
June 5, 2020



Roberta A. Kaplan